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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1,000.00

### Complete if Known

Application Number 10/001,439

Filing Date October 25, 2001

First Named Inventor McAnalley, B.

Examiner Name Coe, Susan D.

Art Unit 1654

Attorney Docket No. 23100.40

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 08-1394 Deposit Account Name: Haynes and Boone, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP =	x	=				
HP = highest number of independent claims paid for, if greater than 3						

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Request for Oral Hearing (37 CFR 41.20(b)(3))

Fees Paid (\$)

\$1,000.00

#### SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 42,531	Telephone 214-651-5662
Name (Print/Type)	Priscilla L. Ferguson		Date March 13, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent /Docket No. 23100.40

Customer No. 27683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:  
McANALLEY, B.

Serial No.: 10/001,439

Filed: October 25, 2001

For: DIETARY SUPPLEMENT  
COMPOSITIONS

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Confirmation No. 2421

Group Art Unit: 1654

Examiner: Coe, Susan D.

**MAIL STOP APPEAL BRIEF - PATENTS**

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
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DATE OF DEPOSIT: 3/13/2006

This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Ellen Lovelace  
Name of person mailing paper and fee

[Signature]  
Signature of person mailing paper and fee

**REQUEST FOR ORAL HEARING**

Applicant hereby requests an Oral Hearing for the above-captioned appeal. This Request for an Oral Hearing is accompanied by the fee set forth in § 41.20(b)(3) and is filed within two months from the date of the Examiner's Answer. As the two-month date for reply fell on a Sunday, this Reply Brief is timely filed on the following Monday, March 13, 2006. If not included herewith, the Commissioner is hereby authorized to charge the fee to Haynes and Boone, LLP's Deposit Account No. 08-1394.

Date: March 13, 2006

Respectfully submitted,

[Signature]

Priscilla L. Ferguson  
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Attorney for Applicant

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